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11 IN THE UNITED STATES DISTRICT COURT
12 FOR THE NORTHERN DISTRICT OF CALIFORNIA
13 OAKLAND DIVISION
14

15 **WILLIE EDWARDS,**

16 Petitioner,

17 v.

18 **BEN CURRY, WARDEN,**

19 Respondent.

08-1923 CW

**UNOPPOSED REQUEST FOR AN
EXTENSION OF TIME TO RESPOND
TO PETITION; SUPPORTING
DECLARATION OF COUNSEL**

Judge: The Honorable Claudia Wilken

20
21 **REQUEST**

22 Petitioner Willie Edwards is a California state inmate proceeding in this habeas corpus
23 action. For the reasons set forth in the accompanying declaration of counsel, Respondent
24 respectfully requests an extension of time of 45 days to file a responsive pleading in this matter.

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DECLARATION

I, STACEY D. SCHESSER, declare as follows:

1. I am an attorney admitted to practice before the courts of the State of California and before this Court. I am employed by the California Attorney General's Office as a Deputy Attorney General in the Correctional Writs and Appeals Section, and I am assigned to represent respondent in this case.

2. On April 28, 2008, this Court issued an order to show cause requiring Respondent to file a responsive pleading by May 28, 2008.

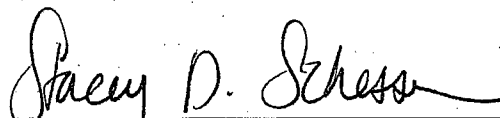
3. In addition to the deadline for this case, I have deadlines in four other cases, an oral argument in the state appellate court, and an upcoming evidentiary hearing. I therefore request additional time to file a response because I will not be able to prepare a proper answer or motion by the filing deadline.

4. On May 21, 2008, I spoke with counsel for Mr. Edwards, Traci Mason, who stipulated to my request for a 45-day extension of time.

5. This request is not made for any purpose of harassment, undue delay, or for any improper reason. Respondent has not previously requested an extension of time.

6. Without an extension of time, Respondent would be substantially harmed or prejudiced because Respondent would not have an opportunity to prepare a thorough responsive pleading or motion.

I declare under penalty of perjury that the above is true and correct, and that this declaration was executed on May 21, 2008, in San Francisco, California.



Stacey D. Schesser
Deputy Attorney General

DECLARATION OF SERVICE BY U.S. MAIL

Case Name: **Edwards v. Curry**

No.: **08-1923 CW**

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service that same day in the ordinary course of business.

On **May 21, 2008**, I served the attached

**UNOPPOSED REQUEST FOR AN EXTENSION OF TIME TO RESPOND TO
PETITION; SUPPORTING DECLARATION OF COUNSEL**

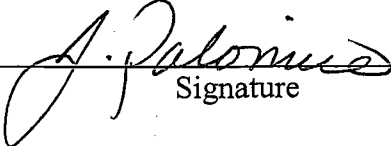
PROPOSED ORDER

by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the internal mail collection system at the Office of the Attorney General at 455 Golden Gate Avenue, Suite 11000, San Francisco, CA 94102-7004, addressed as follows:

Traci S. Mason
Attorney at Law
Law Offices of Traci S. Mason
45 E. Julian Street
San Jose, CA 95112
attorney for Willie Edwards, E-56681

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on **May 21, 2008**, at San Francisco, California.

J. Palomino
Declarant


Signature